

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2007-006060-001 DT

05/10/2007

COMMISSIONER VIRGINIA L. RICHTER

CLERK OF THE COURT
L. Talbo
Deputy

STATE OF ARIZONA

BURGES N MCCOWAN

v.

JEFFREY R YAZWA (001)

JASON D LAMM

JUDGE MAHONEY
VICTIM SERVICES DIV-CA-CCC

INITIAL PRETRIAL CONFERENCE

9:38 a.m.

Courtroom 1001

State's Attorney:	Michael Baker
Defendant's Attorney:	Jason Lamm
Defendant:	Present

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

This is the time set for oral argument on the Motion to Modify Release Conditions.

The Court notes that this matter is set for IPTC on 05/31/2007 at 8:15 a.m. before this division. Upon agreement of counsel,

IT IS ORDERED vacating the IPTC set on that date.

The Court has conducted an initial pretrial conference (IPTC) this date.

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Based upon the avowals made to the Court by the parties, the Court finds/orders as follows:

The State having not complied with discovery,

IT IS ORDERED the State comply with rule 15.1 by 06/15/2007.

The Defense has complied with all discovery.

The State advises that no plea offer has been made yet.

A Final Trial Management Conference is set for 09/13/2007 at 8:30 a.m. before Judge Mahoney.

Jury Trial is set for 09/19/2007 at 10:30 a.m. before Judge Mahoney.

Estimated length of trial: 5-6 days

Last Day: 10/24/2007 (0 DAYS EXCLUDED)

A DEFENDANT'S FAILURE TO APPEAR AT THE FINAL TRIAL MANAGEMENT CONFERENCE OR THE TRIAL MAY RESULT IN A BENCH WARRANT BEING ISSUED FOR HIS OR HER ARREST AND THE FTMC AND TRIAL BEING CONDUCTED IN THE DEFENDANT'S ABSENCE.

THE TRIAL DATE SHALL NOT BE CONTINUED UNLESS A WRITTEN MOTION TO CONTINUE IS FILED AT LEAST 5 DAYS BEFORE THE TRIAL. A CONTINUANCE WILL NOT BE GRANTED UNLESS THE MOTION SHOWS THAT EXTRAORDINARY CIRCUMSTANCES EXIST. (Rule 8.5, Rules of Criminal Procedure and guidelines thereto.)

FINAL TRIAL MANAGEMENT CONFERENCE

The purpose of the Final Trial Management Conference (FTMC) is (1) to complete final preparations for trial, and (2) to resolve pending pretrial issues, including possible settlement of the case.

IT IS ORDERED THAT COUNSEL WHO WILL TRY THE CASE AND THE DEFENDANT(S) SHALL PERSONALLY ATTEND THE CONFERENCE. VICTIMS SHALL BE NOTIFIED OF THE CONFERENCE.

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JOINT PRETRIAL STATEMENT

Counsel shall meet and confer prior to the FTMC and jointly prepare a Joint Pretrial Statement (JPTS) using the approved form. The JPTS form is to be provided to the trial Judge prior to the FTMC.

Discussion ensues.

Stephanie Yazwa is sworn.

Statements are made.

IT IS ORDERED modifying the Defendant's release conditions to reflect the following:

Curfew (must remain in home between hours of 5:00 p.m. and 6:00 a.m.)

Third-Party Custody of Stephanie Yazwa, which shall include supervision of contact with the parties' minor child.

IT IS FURTHER ORDERED affirming the bond previously posted in this matter.

ISSUED: Release Order

9:46 a.m. Matter concludes.

NOTICE: IT IS THE RESPONSIBILITY OF COUNSEL TO NOTIFY THE COURT BEFORE WHICH A HEARING WILL BE HELD 48 HOURS IN ADVANCE OF ANY HEARING NEEDING AN INTERPRETER FOR A VICTIM OR A WITNESS. (10 BUSINESS DAYS FOR ANY LANGUAGE OTHER THAN SPANISH.)